IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.760 OF 2005
CONNECTED WITH
COMPANY APPLICATION NO.688 OF 2005

In the matter of the Companies Act, 1956 :

And

In the matter of Sections 391 to 394 of the Companies Act, 1956 ;

And

In the matter of Scheme of Exploration Enterprises India Pvt. Ltd., a company incorporated under the provisios of the Companies Act, 1956 ;

And

In the matter of the scheme of Amalgamation of Exploration Enterprises India Pvt.Ltd. (Transferor Company) with De Beers India Pvt. Ltd. (Transferee Company) and their respective members and creditors.

Exploration Enterprises India Pvt.Ltd. ....Petitioner

Mr.Sanjay Jain with Ms.Dpiti Gandhi i/b ABZ & Partners for the Petitioner.
Ms.K.V. Gautam, Deputy Official Liquidator present.
Mr.C.J. Joy with Mr.R.C. Master i/b T.C. Kaushik for Regional Director, Department of Company Affairs Maharashtra, Mumbai.

CORAM : S.J. VAZIFDAR, J.
DATED : 13TH JANUARY, 2006.

P.C. :

1. The Petition is filed seeking sanction of a scheme of amalgamation between the Petitioner i.e. the transferee company and De Beers India Pvt. Ltd., i.e. the transferor company. The requirements and procedures have been complied with.

2. The Regional Director in his affidavit stated that the scheme is not prejudicial to the interest of the creditors and the shareholders.

3. The Petition is made absolute in terms of prayers (a) to (h).

4. Costs of the Regional Director fixed at Rs.2500/-.

5. In view of the judgment in *Mahaamba Investments Ltd. v. IDI Limited, (2001) 105 CC 62*, it is not necessary for the transferee company to file a Petition.

6. Filing of the drawn up order is dispensed with.

. All concerned parties to act on an ordinary copy of this order duly authenticated by the Company

Registrar of this Court.